

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) 020801-000810US							
I hereby certify that this correspondence is being filed with the United States Patent and Trademark Office via EFS-Web on <u>September 8, 2009</u>  Signature <u>/Linda Shaffer/</u>  Typed or printed name <u>Linda Shaffer</u>		In re Application of <b>Anthony Boey et al.</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Application Number <b>09/744,103</b></td> <td style="padding: 2px;">Filed <b>December 10, 2001</b></td> </tr> <tr> <td colspan="2" style="padding: 2px;">For <b>LIPOSOMAL ENCAPSULATED NUCLEIC ACID-COMPLEXES</b></td> </tr> <tr> <td style="padding: 2px;">Art Unit <b>1612</b></td> <td style="padding: 2px;">Examiner <b>Gollamudi S. Kishore</b></td> </tr> </table>		Application Number <b>09/744,103</b>	Filed <b>December 10, 2001</b>	For <b>LIPOSOMAL ENCAPSULATED NUCLEIC ACID-COMPLEXES</b>		Art Unit <b>1612</b>	Examiner <b>Gollamudi S. Kishore</b>
Application Number <b>09/744,103</b>	Filed <b>December 10, 2001</b>								
For <b>LIPOSOMAL ENCAPSULATED NUCLEIC ACID-COMPLEXES</b>									
Art Unit <b>1612</b>	Examiner <b>Gollamudi S. Kishore</b>								
<p>Applicant hereby <b>appeals</b> to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) <span style="float: right;">\$ <u>540</u></span></p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <span style="float: right;">\$ <u>270</u></span></p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>20-1430</u>.</p> <p><input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p> <p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p> <p>I am the</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> applicant/inventor.   <input type="checkbox"/> assignee of record of the entire interest.  See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  (Form PTO/SB/96)  <input checked="" type="checkbox"/> attorney or agent of record.  Registration number <u>37,330</u>   <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34.  Registration number if acting under 37 CFR 1.34. _____ </td> <td style="width: 50%; vertical-align: top;"> <u>/Eugenia Garrett-Wackowski, Reg. No. 37,330/</u>  Signature  <u>Eugenia Garrett-Wackowski</u>  Typed or printed name   <u>925-472-5000</u>  Telephone number   <u>9/8/09</u>  Date </td> </tr> </table> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>				<input type="checkbox"/> applicant/inventor.  <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>37,330</u>  <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____	<u>/Eugenia Garrett-Wackowski, Reg. No. 37,330/</u> Signature <u>Eugenia Garrett-Wackowski</u> Typed or printed name  <u>925-472-5000</u> Telephone number  <u>9/8/09</u> Date				
<input type="checkbox"/> applicant/inventor.  <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>37,330</u>  <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____	<u>/Eugenia Garrett-Wackowski, Reg. No. 37,330/</u> Signature <u>Eugenia Garrett-Wackowski</u> Typed or printed name  <u>925-472-5000</u> Telephone number  <u>9/8/09</u> Date								
<input type="checkbox"/> *Total of _____ forms are submitted.									